



REMARKS

The Examiner has required restriction under 35 U.S.C. § 121 between claims 1-30 (Group I – drawn to a method of forming a device), and claims 31-39 (Group II – drawn to product made). Applicant hereby elects without traverse claims 1-30 (Group I) for prosecution on the merits. Accordingly, claims 31-39 (Group II) have been cancelled without prejudice.

With respect to Group I, the Examiner makes a four-way species restriction. Applicant hereby elects the species directed to claims 1-7. Claims 1-7 are seen to be generic to the alleged species of forming a capacitor with a NON structure with pinholes, and a species directed to a capacitor of forming a ONON structure with pinholes. Claims 21-30 have been cancelled. Examination of each of claims 1-20 in this application is therefore warranted, and requested.

Accordingly, it is requested and seen appropriate for the examiner to examine all of claims 1-20 remaining in this application at this time. Action to that end is requested.

Respectfully submitted,

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By: 
Mark S. Matkin
Reg. No. 32,268